UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

IN DE. NEW ENGLAND COMPOUNDING)	
IN RE: NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. PRODUCTS LIABILITY)	
LITIGATION)	MDL No. 1:13-md-2419-FDS
)	
This Document Relates To:)	
)	
All Cases)	
)	

NECC MEDIATION PROGRAM PARTICIPATION NOTICE AND AGREEMENT

ARL BioPharma, Inc. d/b/a Analytical Research Laboratories ("ARL") hereby give(s) notice that it is agreeing to participate in the NECC mediation program as described in this Court's August 15, 2013 Order on Mediation Program ("Mediation Order") that was entered as document 394 in the Multi-District Litigation titled In re New England Compounding Pharmacy, Inc. Products Liability Litigation, 1:13-md-2419-FDS ("the MDL").

By executing and filing the Participation Notice and Agreement as Exhibit A, the undersigned hereby stipulates, agrees, and covenants to the terms of, and agrees to be bound by, the provisions of the Court's Mediation Order except that ARL intends to file a Motion to Extend the Time to File a Proof of Claim ("Motion") and the Plaintiffs' Steering Committee ("PSC") has agreed not to object to said Motion.

In exchange for ARL's agreement to mediate, the PSC has stipulated that ARL's obligation to file answers, dispositive motions, or other responsive pleadings in any matter, including in matters filed in states that have one year statutes of limitation, shall be stayed pending the outcome of mediation. ARL and the PSC will execute and file a stipulation that memorializes this agreement.

Respectfully submitted,

ARL BIOPHARMA, INC. d/b/a ANALYTICAL RESEARCH LABORATORIES

By its attorneys,

/s/ Kenneth B. Walton

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been filed with the Clerk of the Court on September 20, 2013 using the ECF system that sent notification of this filing to all ECF—registered counsel of record via e-mail generated by the Court's ECF system.

/s/ Kristen R. Ragosta

Attorney for ARL Bio Pharma, Inc. d/b/a Analytical Research Laboratories

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Dated: September 20, 2013